

DRIED FRUITS AND VEGETABLES

3366. Adulteration of dried apples. U. S. v. 540 Bags and 18 Bags of Dried Apples. Decrees of condemnation. Portion of product ordered released under bond for segregation and destruction of unfit portion; remainder ordered destroyed. (F. D. C. Nos. 6302, 6324. Sample Nos. 54705-E, 59494-E.)

Examination showed that this product contained insect fragments and rodent hairs.

On November 28 and December 1, 1941, the United States attorneys for the Eastern District of Pennsylvania and the Eastern District of Virginia filed libels against 540 bags of dried apples at Philadelphia, Pa., and 18 bags of dried apples at Portsmouth, Va., alleging that the article had been shipped in interstate commerce on or about October 18 and 22 and November 1, 1941, by E. E. Eller Produce Co., Inc., from North Wilkesboro, N. C.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been packed and held under insanitary conditions whereby it might have become contaminated with filth. The bags containing the product were unlabeled.

On January 23, 1942, E. E. Eller Produce Co., Inc., having appeared as claimant for the product seized at Philadelphia, judgment of condemnation was entered and it was ordered released under bond for segregation and destruction of the unfit portion under the supervision of the Food and Drug Administration. On February 23, 1942, no claimant having appeared for the apples seized at Portsmouth, judgment of condemnation was entered and the product was ordered destroyed.

3367. Adulteration of dried figs. U. S. v. 8 Cases of Figs. Default decree of condemnation and destruction. (F. D. C. No. 6683. Sample No. 85129-E.)

Examination showed that this product was infested with mites.

On January 9, 1942, the United States attorney for the Western District of Washington filed a libel against 8 cases each containing 25 pounds of dried figs at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about April 31, 1941, by California Packing Corporation from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Roeding's Fancy Quality Sphinx Brand Black Figs Sun Dried * * * Packed By Roeding Fig & Olive Co. Fresno Calif."

On April 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3368. Misbranding of pitted dates. U. S. v. 14 Dozen Packages of Pitted Dates. Default decree of condemnation. Product ordered delivered to a local charitable agency. (F. D. C. No. 6526. Sample No. 84704-E.)

This product occupied only about 82.4 percent of the capacity of its container.

On December 16, 1941, the United States attorney for the District of New Jersey filed a libel against 14 dozen packages of pitted dates at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about November 12, 1941, by the American Fig & Date Co. from New York, N. Y.; and charging that it was misbranded in that its container was so made, formed, or filled as to be misleading. The article was labeled in part: "Spear Brand Pitted Dates 6 Ozs. Net Wgt."

On January 19, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a local charitable agency, conditioned that said agency first destroy the labels.

3369. Adulteration of dried peaches. U. S. v. 235 Boxes of Dried Peaches. Default decree of condemnation and destruction. (F. D. C. No. 6860. Sample No. 71679-E.)

Examination showed that this product was insect-infested and dirty.

On February 12, 1942, the United States attorney for the Eastern District of Arkansas filed a libel against 235 25-pound boxes of dried peaches at Paragould, Ark., alleging that the article had been shipped in interstate commerce on or about November 13, 1941, by Hurt Grocer Co. from Memphis, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Sail-Maker Brand Recleaned California Peaches Packed By Vagim Packing Co. Fresno, Cal."

On April 15, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.